

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69368 of 2023

Arising Out of PS. Case No.-326 Year-2023 Thana- SHEKHPURA District- Sheikhpura

RAJKISHORE KUMAR son of Rajendra Mahto @ Rajendra Prasad Village-
Mankoul P.S.- Ariyari District- Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar, Advocate

For the Opposite Party/s : Mr.Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 08-11-2023 1. Heard learned counsel for the petitioner and the
learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Sheikhpura P.S. Case No. 326 of 2023 dated 29.05.2023
registered for the offence(s) punishable under Sections 30(a), 32
and 41 of Bihar Prohibition and Excise Act.

3. The main submissions advanced by the learned
counsel for the petitioner are that the instant matter relates to
recovery of 99 litres of Indian made foreign liquor from a Tata
Indigo C.S car and admittedly, the petitioner was not
apprehended from the said vehicle and as per prosecution, two
co-accused namely, Sandip Kumar and Rajiv Kumar were
found seated in the said vehicle from which they were
apprehended and they disclosed before the police that the



seized liquor was to be delivered to this petitioner and mainly on the basis of said disclosure the petitioner has been dragged in this matter and in the light of the circumstances appearing against this petitioner the alleged offence of Excise Act does not even prima facie attract against him and the petitioner has no criminal antecedent.

4. Learned APP appearing for the State has opposed the bail prayer.

5. Considering the above submissions, this court is of the opinion that the petitioner's prayer is fit to be accepted. Accordingly, let the petitioner named-above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail in connection with Sheikhpura P.S. Case No. 326 of 2023 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Shailendra Singh, J)

Rajiv/-

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